

# HOUSE . . . . . No. 1694

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## The Commonwealth of Massachusetts

PRESENTED BY:

**Pam Richardson**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to historic stone walls.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Pam Richardson	6th Middlesex
Christine E. Canavan	10th Plymouth
Steven J. D'Amico	4th Bristol
Paul McMurtry	11th Norfolk
Tom Sannicandro	7th Middlesex
Karen E. Spilka	Second Middlesex and Norfolk

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO HISTORIC STONE WALLS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Chapter 266 of General laws is hereby amended by striking section 105 and inserting in placed thereof the following section:-

Section 105. Whoever will fully and without the consent of the owner pulls down or removes any position of a stone wall or fence of another shall be punished by imprisonment in a house of correction for not more than 6 months or by a fine of not more than \$500 or not more than 3 times the value of the property so pulled down or removed, whichever is greater, or both such imprisonment and fine, and shall also be required to pay for the replacement or reconstruction of such stone wall or fence; provided, however, that when a fine is levied pursuant to the value of the property pulled down or removed, the court shall, after conviction, conduct an evidentiary hearing to ascertain the cost for the replacement or reconstruction of such stone wall or fence.

A police officer may arrest any person for commission of the offenses prohibited by this section without a warrant if said police officer has probable cause to believe that said person has committed the offenses prohibited by this section.

Upon conviction for said offense, the individual's driver's license shall be suspended for 1 year. If the individual convicted of pulling down or removing such stone wall or fence is under the age of 16, 1 year shall be added to the minimum age for driving of said individual.